Secrt. IL-27—48,000—8-31-34

L&G (1935) Department.

Ms SERIES.

G.O. No. 1223 T

DATED 21.5.1935

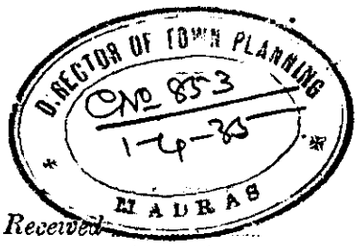
7

[Despatch Abstract.]

Town Planning - Mangalore Municipality - Kodialbail East ward town planning scheme - Payment of Rs 100/- to Mr. Fernandes Sanctioned.

C.F. 30.

DEPARTMENT.



Received ..... 19 . *Registered* 19

Subject. 1512

Ref:- Payment of Rs 100/- to Bazil Fernandes in consideration of a gift of land -- Sanction of Government -- Requested.

****

B.T.P

Enclosures.
No. 2
Spare copies

W. No. N. 910/34-35.

Station Mangalore , *Dated the* 26th M a r c h 19 35.

From (Name) M.R.Ry. C. R. Karunakara Menon, Avl., B.A.,B.
(Designation) Commissioner, Mangalore Municipality, MANGALORE.

To The Secretary to the Government of Madras,
Local Self Government Department.
Fort St. George. M A D R A S.

Through:
The Director of Town Planning, Chepauk, M A D R A S,
A N D
The Vice-Chairman, Municipal Council, MANGALORE.
In-Charge,

S I R,

One Mr. Bazil Fernandes applied for license to construct a building in T.S.No. 173 of Kodialbail East Ward. As a portion of the said building was on one of the proposed roads in the Kodialbail East Ward Town Planning Scheme, licen was refused under section 17 of the Town Planning Act. The Director of Town Planning who inspected the site on 29th June 1931 suggested a slight modification of the plan to arrive at

an

an amicable settlement. A copy of the letter of the -- Director of Town Planning in the matter is enclosed. Mr.Bazil Fernandes agreed to this settlement and also to give 2 cents of land for widening the lane on the rear of his premises. -- The Council on the recommendation of the Town Planning Committee accepted the proposal to widen the said lane. This land is at a higher level than the lane which is proposed to be -- widened and hence Mr. Fernandes suggested that the sides of his compound may be built up by the Municipality. The Council did not agree to this but sanctioned the payment of a sum of Rs 100/- to Mr. Fernandes towards the cost of the wall. A copy of the resolution of the Council in this matter is enclosed.

The extent of land gifted by Mr. Fernandes is about 2¼ Cents and the estimated cost of the same is Rs 150/-. Mr. Fernandes has already executed a registered Gift Deed. By --- gifting away this piece of land to the Municipality it has --- become necessary for Mr. Fernandes to dig a new well as the old well had to be closed as a portion of it was on the land gifted by him. The payment of Rs 100/- now to be made to Mr. Fernandes is towards the cost of construction of a retaining wall by the side of his compound. A Registered Gift Deed has already been executed by Mr. Fernandes. Under the circumstances Government may be pleased to sanction the payment of Rs 100/- towards the cost of construction of a retaining wall by the -- side of T.S.No. 173 of Kodialbail East Ward.

I have the honour to be

S i r,

Your obedient servant,

C. Ramachandra

Commissioner,
Mangalore Municipality.

27/3.

F O R W A R D E D

Mangalore,
29-3-'35.

Vice-Chairman-In-Charge

Forwarded
4/4/35

D.T.P. 662/35
2-4-35

To the Secretary

Copy of the letter dated 29th June 1931 from the Director of Town Planning, Madras.

Reference :- Building application of Mr. Fernandes.

Having inspected the site and read the correspondence on the above question I suggest the following compromise with a view to amicable settlement of the dispute.

There does not appear to be any doubt as to the position of the Council its action being under section 17 of the Town -- Planning Act. Whilst it would be desireable to carry out the - Scheme as planned it would be impossible to make much progress in the case of opposition and with a view to meeting the wishes of the owner and securing his co-operation , I think the plan -- might be modified by omission of the rounding off of the end, provided that the road in the rear of the premises is widened to not less than 20 feet.

The land on which the building stands will be left to Mr. Fernandes but his building will not I believe comply with the -- following provisions of the scheme:-

(1) Building line *

(2) Percentage of plot to be built over.

(3) Restriction with respect to residential buildings on.

I would suggest that these provisions (if they affect the case) may be waived if Mr. Fernandes co-operates on the lines suggested above.

Camp-Mangalore,
29th June '31.

Sd/- R. Dann.
Director of Town Planning.

/ T R U E C O P Y /

Municipal Office,
Mangalore, 26-3-'35.

Commissioner. M.M.

Extract from the Proceedings of the Mangalore Municipal Council, dated 22nd August *1932.*

PRESENT:-

x x x x

13. Read report from the Municipal Supervisor that Mr. Bazil --- Fernandes requires the municipality to build up the side of his -- garden adjacent to the portion which he has consented to make over to the council and the file of connected papers.

The payment of Rs 100/- to Mr. Bazil Fernandes towards the expenses for building the side of his garden is sanctioned and he will be responsible for future upkeep & repair of the same.

x x x x

TRUE COPY /

Municipal Office,
Mangalore, 26-3-'35.

Commissioner, M.M.

31/5/35

G. O. C.P. No. 1423 P.W.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..	20/5/35	
When copied ..		
When examined ..		
When signed ..	21/5/35	
When despatched.		

SUBJECT:— Town Planning Mangalore Municipality — Kadiakbail Ward T. P. Scheme — Payment of Rs 100 to Mr. Fernandes — Sanctioned.

READ AGAIN _____, dated _____ 19____.

" " _____ " _____ 19____.

READ *ALSO*:—

No. 15135 From the Comm. of the N. Div. No. 910/34-35 dated 26-3-19 35.

" _____ " Mangalore Municipality D. T. P. " 662/35 " 5-4-19 35.

" _____ " _____ " _____ " _____ 19____.

Order ~~Resolution~~ Ms. ~~Rout~~ No. 1223 P.H dated 21-5-1935

Ap 20/5

Gr. I for ... I
C ... 1207 P.H (S)
10/5/34

p 47

this compound
Dr. Seema ... the
Ap ... the ...

The Government sanction the payment by the Mangalore Municipal Council of a sum of Rs 100 (Rupees one hundred only) to Mr. Bazil Fernandes towards the expenses for ~~constructing a retaining wall by the side of his garden~~ co-constructing a retaining wall by the side of the ~~site of his garden~~. The sanction is subject to the condition that Mr. B. Fernandes makes a free gift of about 2 1/4 cents of land referred to in paragraph 2 of the Commissioner's letter read above and that

Assuming that for the municipal council will not have any liability in connection with the up keep and repair of the wall proposed to be constructed by him.

4-5-35

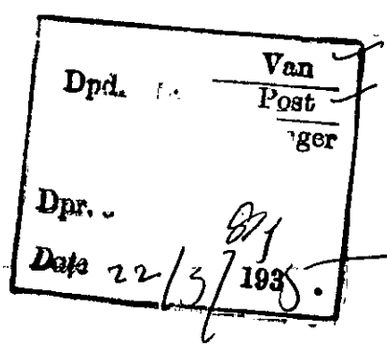
14/5

14/5

p 2 cf p 4 cf 1

wa 12/5 8/5

Dir 16/5



To

The Commr of the Mangalore Municipality through the E.M.C. Mangalore.

The D.P.C.

Spare copy

Received.....1935. Registered.....1935.

Abstract.

Town Planning - Mangalore Municipality - Kodialbail East ward town planning scheme - Payment of Rs 100/- to Mr. Fernandez - Sanctioned.

Local Self Government Department.
G.O. Ms. No. 1223 P.H., dated the 21st May 1935.

Read the following:-

From the Commissioner of the Mangalore Municipality, No. 910/34-35, dated the 26th March 1935.
From the Director of Town Planning, No.662/35, dated the 5th April 1935.

O R D E R.

The Government sanction the payment by the Mangalore Municipal Council of a sum of Rs 100 (Rupees One hundred only) to Mr. Bazil Fernandez, towards the expenses for constructing a retaining wall by the side of his compound. The sanction is subject to the condition that Mr. B. Fernandez makes a free gift of about 2¼ cents of lands referred to in paragraph 2 of the Commissioner's letter read above and that the municipal council will not have any liability in connection with the upkeep and repair of the wall proposed to be constructed by him.

(By Order of the Govt., Ministry of Local Self Govt.,)

R. Subbayya,
Joint Secretary.

To the Commissioner, Mangalore Municipality, through the Chairman.
Director of Town Planning.

F o r w a r d e d
(By Order)

Superintendent.

ASR.